

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

MARKET STREET SECURITIES, INC. et
al.,

Plaintiffs,

V.

NASDAQ OMX PHLX LLC et al.,

Defendant.

CIVIL ACTION

No. 12-1304

ORDER

AND NOW, this _16TH day of October 2012, Defendant's Motion to Dismiss for lack of subject matter jurisdiction (ECF No. 12) is GRANTED.

s/Anita B. Brody

ANITA B. BRODY, J.

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to: